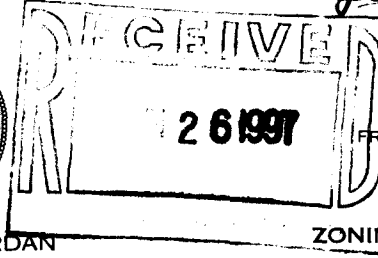


CITY OF LOS ANGELES
CALIFORNIA



RICHARD J. RIORDAN
MAYOR



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DANIEL GREEN
LOURDES GREEN
ALBERT LANDINI
LEONARD S. LEVINE
JON PERICA
SARAH A. RODGERS
HORACE E. TRAMEL, JR.

June 25, 1997

McDonnell Douglas Realty Company (A)(O)
4060 Lakewood Boulevard
Long Beach, CA 90808

Lucinda Starret/Dale Neal (R)
Latham and Watkins
633 West 5th Street, #4000
Los Angeles, CA 90071

Department of Building and Safety

CASE NO. ZA 97-0327(CUB)(CUZ)
CONDITIONAL USE

1414 West 190th Street
Harbor-Gateway Planning Area

Zone : M3-1

D. M. : 57B193/57B197/ 60B193
60B197

C. D. : 15

CEQA : EIR 96-0090 SUB

Fish & Game: Exempt

Legal Description: A portion of Rancho
San Pedro as more specifically
described in the application

Pursuant to Los Angeles Municipal Code Sections 12.24-C,33 and 38, I hereby
APPROVE:

a conditional use to permit the sale and dispensing of all full line of alcoholic
beverages for on-site consumption for a maximum of four establishments with two
establishments having live entertainment/dancing with hours of operation from
7 a.m. to 2 a.m., and

Pursuant to Los Angeles Municipal Code Section 12.24-C,42, I hereby APPROVE:

a conditional use to permit the sale and dispensing of a full line of alcoholic
beverages for off-site consumption for a maximum of three establishments
operating 24 hours per day, seven days per week and

Pursuant to Los Angeles Municipal Code Section 12.24-C, 58, I hereby APPROVE:

a conditional use to permit floor area ratio averaging for the office and industrial
portions of a unified development project,

all of the above in conjunction with the development of a 170-acre site with
approximately 3 million square feet of retail, office and industrial park uses
(approximately 450,000 square feet of retail, 507,000 square feet of office and
2,010,700 square feet of industrial), in the M3-1 Zone,



upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective conditions, if, in the Administrator's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over in the same color as the surface to which it is applied within 24 hours of its occurrence.
5. Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms conditions established herein shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement must be submitted to the Zoning Administrator for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

Sale of Alcoholic Beverages

6. The total number of alcohol sales conditional use permits allowed by this authorization is four permits for sale for on-site consumption and three permits for sale for off-site consumption within the subject ownership. The number of alcohol sales facilities may be changed only by new conditional use authorization.
7. Within the retail portion of the subject site, known as the Harbor Gateway Center, alcoholic beverages may be sold for on-site consumption within four establishments:
 - a. The subject establishments may occur at any four of the five following sites: Lot Numbers 6, 7, 8, 9 and 12 (as noted on Vesting Tract Map No. 52172); and have a combined total floor area not exceed 30,000 square feet.
 - b. A maximum of two of these establishments may have live entertainment/dancing.

- c. Hours of operation of the subject facility shall not exceed the following: 7 a.m. to 2 a.m., seven days per week.
 - d. The primary use of the subject facility shall be a restaurant. The primary use of the restaurant shall be sit down meal service.
 - e. Beverages must be served incidental to meal service
 - f. At all times when the restaurant dispenses alcoholic beverages, it also shall provide a luncheon/dinner menu and shall be prepared to serve the foods listed on the menu.
 - g. The kitchen of the restaurant shall comply with the definition in Section 91.0403 of the Los Angeles Municipal Code.
 - h. All new employees serving alcohol to patrons shall enroll in a training program for the responsible service of alcohol as certified by the State of California Department of Alcoholic Beverage Control. The training shall be offered to new employees on no less than a quarterly basis.
 - i. No employees, while working, shall solicit or accept any alcoholic or non-alcoholic beverage from any customer while on the premises. No employees, while working, shall be engaged for the specific purpose of sitting with or otherwise spending time with customers while in said premises.
 - j. All operators shall be given a copy of these conditions prior to executing a lease, and these conditions shall be incorporated into the lease. Furthermore, all vendors of alcoholic beverages shall be made aware that violation of these conditions may result in revocation of the privileges of serving alcoholic beverages within that establishment.
8. Within the Harbor Gateway Center retail area, alcoholic beverages may be sold for off-site consumption within three retail establishments (i.e., market/mini-mart/grocery store, discount store, etc.):
- a. Such establishments may occur on any of three of the four following sites: Lot Numbers 5, 8, 10 and 11 of Vesting Tract Map 52172.
 - b. As volunteered by the applicant, the sale of single bottles and cans shall be prohibited.
 - c. As volunteered by the applicant, no alcoholic beverages shall be sold in less than a six pack.
9. A sign which states the closing time shall be prominently displayed on the property.

10. These conditions of approval shall be retained on the property at all times and shall be produced immediately upon the request of the Planning or Police Departments.
11. The applicant shall file an application for conditional use plan approval (for subsequent restaurants/markets). The application must be accompanied by the payment of appropriate fees and must be accepted as complete by the Planning Department public counter. A completed application must be accompanied by abutting tenant/owner notice labels. Subsequent plan approvals shall not require a public hearing. The purpose of the Plan Approval is to review the proposed restaurant/market in greater detail for such matters as security, take out service, pay phones, games, noise, size of dance floor, trash, maintenance, storage, etc. (the detail of which cannot be known under the instant grant) of subsequent restaurant/entertainment/market facilities permitted under this conditional use.

Floor Area Ratio Averaging

12. Floor area definition shall conform with Section 12.03 of the Los Angeles Municipal Code.
13. Total floor area of the subject project shall not exceed 2,517,700 square feet.
14. The total square footage of the proposed project subject to Floor Area Ratio averaging shall consist of approximately 507,000 square feet of office and approximately 2,010,700 square feet of industrial park.
15. The floor area ratio on any individual lot within the subject Project shall not exceed 3.0:1.
16. The applicant shall continue to operate and maintain the subject Project as a Unified Development which shall consist of (1) a combination of functional linkages, such as pedestrian or vehicular connection; (2) in conjunction with common architectural and landscape features constituting distinctive design elements of the development; (3) is composed of two or more contiguous parcels or lots of record separated only by a street or alley; and (4) when the development is viewed from adjoining streets appears to be a consolidated whole.
17. The applicant shall establish and maintain a record of all new floor area approved and constructed within the project (the "Density Report"), and shall provide copies of the Density Report to the Department of Building and Safety and the Deputy Advisory Agency. The Density Report shall be updated with each new approval and a copy of the updated Density Report shall be supplied to each of the Department of Building and Safety and the Deputy Advisory Agency. The record shall indicate the lot or lots on which such new floor area was approved. The applicant shall transfer this responsibility to the property owners association when such association is created.

18. Prior to the issuance of a building permit for any new floor area to be constructed within the project, the applicant or developer of such floor area shall submit to the Department of Building and Safety an updated and complete Density Report. The Density Report, which may be in the form attached hereto, shall include the following information:
 - a. The number and size of the lot or lots on which construction is proposed.
 - b. The existing floor area, if any, on the lot or lots and the amount to be removed, if any, in connection with the new construction.
 - c. The new floor area proposed to be constructed on the lot or lots, net of any old floor area.
 - d. The floor area ratio after the addition of the new floor area.
 - e. The cumulative total building floor area and the overall average floor area.
19. The applicant shall conform with all requirements under Vesting Tract Map No. 52172 and all mitigation measures contained therein and in EIR 96-0090-SUB)(CUB)(ZV)(DA).

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES - TIME EXTENSION

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within two years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void. A Zoning Administrator may extend the termination date for one additional period not to exceed one year, if a written request is filed therefore with a public Office of the Department of City Planning setting forth the reasons for said request and a Zoning Administrator determines that good and reasonable cause exists therefore.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.24-J,3 of the Los Angeles Municipal Code provides:

"It shall be unlawful to violate or fail to comply with any requirement or condition imposed by final action of the Zoning Administrator, Board or Council pursuant to

this subsection. Such violation or failure to comply shall constitute a violation of this Chapter and shall be subject to the same penalties as any other violation of this Chapter."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code. THE ZONING ADMINISTRATOR'S DETERMINATION IN THIS MATTER WILL BECOME EFFECTIVE AFTER JULY 10, 1997, UNLESS AN APPEAL THEREFROM IS FILED WITH THE BOARD OF ZONING APPEALS. IT IS STRONGLY ADVISED THAT APPEALS BE FILED EARLY DURING THE APPEAL PERIOD AND IN PERSON SO THAT IMPERFECTIONS/ INCOMPLETENESS MAY BE CORRECTED BEFORE THE APPEAL PERIOD EXPIRES. ANY APPEAL MUST BE FILED ON THE PRESCRIBED FORMS, ACCOMPANIED BY THE REQUIRED FEE AND RECEIVED AND RECEIPTED AT A PUBLIC OFFICE OF THE DEPARTMENT OF CITY PLANNING ON OR BEFORE THE ABOVE DATE OR THE APPEAL WILL NOT BE ACCEPTED. SUCH OFFICES ARE LOCATED AT:

Los Angeles City Hall
200 North Spring Street
Room 460, Counter S
Los Angeles, CA 90012
(213) 485-7826

6251 Van Nuys Boulevard
First Floor
Van Nuys, CA 91401
(818) 756-8596

NOTICE

THE APPLICANT IS FURTHER ADVISED THAT ALL SUBSEQUENT CONTACT WITH THIS OFFICE REGARDING THIS DETERMINATION MUST BE WITH THE ZONING ADMINISTRATOR WHO ACTED ON THE CASE. THIS WOULD INCLUDE CLARIFICATION, VERIFICATION OF CONDITION COMPLIANCE AND PLANS OR BUILDING PERMIT APPLICATIONS, ETC., AND SHALL BE ACCOMPLISHED BY APPOINTMENT ONLY, IN ORDER TO ASSURE THAT YOU RECEIVE SERVICE WITH A MINIMUM AMOUNT OF WAITING. YOU SHOULD ADVISE ANY CONSULTANT REPRESENTING YOU OF THIS REQUIREMENT AS WELL.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the report of the Zoning Analyst thereon, and the statements made at the public hearing before

the Zoning Administrator on May 28, 1997, all of which are by reference made a part hereof, as well as knowledge of the property and the surrounding district, I find that the requirements for authorizing a conditional use permit under the provisions of Section 12.24-C of the Municipal Code have been established by the following facts:

BACKGROUND

The subject property is a level, irregular L-shaped, corner, parcel of land, consisting of approximately 170.2 acres, having a frontage of approximately 1,730 feet on the south side of 190th Street, 3,234 feet on the west side of Normandie Avenue and 1,005 feet on the east side of Western Avenue.

The subject site is presently developed with approximately 2.4 million square feet of industrial/warehouse buildings.

Surrounding properties are within the M2-1, MR1-1, [Q]CM-1 and PF Zones and are characterized by level topography and level streets. The surrounding properties are developed with multiple- and single-story commercial buildings, industrial buildings and one-story duplexes.

Adjoining properties to the north of the subject site across 190th Street are zoned M2-1 and are developed with multiple-story commercial buildings occupied by office buildings, warehouses, retail stores for copiers, furniture, computers and office supplies. Adjoining properties to the south of the subject site are zoned [Q]CM-1 and are developed with one-story duplexes. Adjoining properties to the east of the subject site are zoned M3-1 and are developed with one-story commercial buildings occupied by offices, warehouse buildings, various manufacturing companies and a truck yard. Adjoining properties to the west of the subject site are zoned M3-1 and includes a vacant tract of land of approximately 67.43 acres referred to as the Lockheed Martin site, and a steel manufacturing company.

190th Street, adjoining the subject property to the north, is a designated Major Highway dedicated a variable width of 80 to 100 feet and improved with curb and sidewalk.

Normandie Avenue, adjoining the subject property to the east, is a designated Secondary Highway, and is adjacent to a railroad right-of-way, dedicated to a variable width of 66 to 81 feet and improved with curb only.

Western Avenue, adjoining the subject property to the west is a designated Major Highway dedicated a width of 100 feet and improved with curb only.

Previous zoning related actions on the site/in the area include:

Subject Property:

There are no existing relevant ZA or CPC cases on the subject property.

Case No. ZI 1192 - Hazardous Waste Areas/Border Zone Properties. This ZI pertains to hazardous waste areas or properties that are located within 2,000 feet of a significant disposal of hazardous waste (Border Zone Properties) and the waste so located are a significant existing or potential hazard to present or future public health or safety on the land in question.

The ZI provides, prior to the issuance of a building permit, the owner, lessor or lessee shall acknowledge the receipt of the information sheet relating to hazardous waste areas and Border Zone Properties by signing the space provided on the building permit.

Any new use of land, modification or expansion of an industrial or manufacturing facility, or complex, on land and subdivision of land within the hazardous waste property boundary would need an approval from the Department of Health Services.

This ZI also requires an approval for any building or structure within these boundaries intended for residence, a hospital for humans, a school, day care or any permanently occupied human habitation.

Case No. ZI 2130 - Harbor Area Enterprise Zone (Ordinance No. 165,773). This ZI allows any projects located within the boundaries of this ordinance to utilize lower parking ratios pursuant to Section 12.21 A 4(x)(3) of the Zoning Code that requires only two parking spaces for every 1,000 square feet of combined gross floor area of commercial office, business, retail, restaurant, bar and related uses, trade school or research and development buildings.

Surrounding Properties:

No similar or relevant cases were found on surrounding properties in the immediate neighborhood.

Tract No. 52045 (EIR No. 95-0177(SUB)) - The adjoining property to the west of the McDonnell Douglas property is currently vacant and is proposed for a commercial subdivision for a retail shopping center complex, The "South Bay Power Center," with approximately 810,000 square feet of total building area. The retail shopping center complex would consist of 15 major retail buildings which total approximately 792,000 square feet, including a 55,000 square-foot, 3,500-seat motion picture theater and a 52,725 square-foot supermarket, two retail shop buildings which total approximately 9,000 square feet, and three restaurant pad buildings which total 9,000 square feet.

Case No. ZA 86-0187(PAB) - On June 23, 1986, the Zoning Administrator withdrew an Approval of Plans for on-site sales and dispensing of alcoholic beverages at 20320 Western Avenue.

PUBLIC HEARING

The public hearing on the matter was held May 28, 1997, at 201 North Figueroa Street, downtown Los Angeles. The hearing was a joint hearing for the subject request and for a Vesting Tract Map with the Zoning Administrator and the Deputy Advisory Agency. The applicant's representative spoke on behalf of the project. No opposition to the subject project was received.

The proposed project, the Harbor Gateway Center, consists of approximately 170 acres of level L-shaped land which is concurrently being subdivided for retail, office and industrial use under Vesting Tract Map No. 52172. The total square footage of the project at build out is proposed to be approximately 3 million square feet of which approximately 2,517,700 square feet is requested to be permitted for floor area ratio averaging:

450,000 square feet of retail	(No FAR averaging)
507,000 square feet office	(FAR averaging)
2,010,700 square feet of industrial	(FAR averaging)

The two part request is for conditional use permits for (1) the sale of a full line of alcoholic beverages for on- and off-site consumption, entertainment/dancing; and (2) floor area ratio averaging for the office and industrial portions of the subject site.

An approval for the vesting tract map was issued by the Deputy Advisory Agency dated June 6, 1997.

FINDINGS

In order for a conditional use permit for the sale of a full line of alcoholic beverages off-site consumption to be approved the mandated findings delineated in Municipal Code Section 12.24-C must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

- The proposed location will be desirable to the public convenience or welfare and the location is proper in relation to adjacent uses or the development of the community.**

The site is suitable for a project of this size and nature due to its proximity to the 405 Freeway and the 110 Freeway. The geographical setting is urban with a mixture of commercial and industrial uses. The majority of the site development will be for industrial uses.

The subject site is being adaptively reused. Its prior industrial use, a McDonnell Douglas facility, was aerospace-oriented. The redevelopment of the subject site for a retail-commercial office-industrial park use will result in a modern facility of nearly 3 million square feet, providing significant jobs and commerce, stimulating

the local economy. The residential neighborhood to the south will benefit from convenient access to quality retail stores, restaurants and entertainment.

One of the proposals is to secure permits for the sale of a full line of alcoholic beverages for on- and off-site consumption at four future restaurants and three future markets/mini-marts, respectively. This request is consistent with other similar facilities that combine a mixture of retail and office use. Restaurants and markets are frequently used by shoppers and office workers; entertainment/dancing is also frequently located in the vicinity of office uses. Other areas of the city-- downtown, Warner Center, Century City-- have similar development profiles with complementary uses. The subject site is not different.

Statistics provided by the Department of Alcoholic Beverage Control indicate in Census Tract No. 2920, involving the subject property, six on-site and five off-site licenses are allocated. There are currently four on-site and four off-site licenses in this census tract, Within 600 feet of the subject property, there are two on-site and three off-site existing licenses. The granting of additional licenses through the conditional use permit will not result in an over concentration in that projects with a similar mix of uses and a similar density of development often contain multiple restaurants/markets to serve workers and customers.

A 3 million square foot total project, as proposed, would normally be supported by its own food service, entertainment and convenience stores. In addition, there are not very many on- and off-site license within 600 feet of the subject property, making the request, as presented reasonable for the functional integration of uses within the subject site.

The proposed project meets the criteria for findings on Floor Area Ratio averaging in that the project is a unified development, functionally integrated, integrated through architectural or landscape architectural design. The proposed floor area ratio averaging will not exceed 3.0:1 to any single lot and not exceed and overall FAR of 1.5:1. The averaging will afford variation in building size, mass and height and provides flexibility to the developer. Since the overall FAR will not exceed 1.5:1, maximum densities under Height District No. 1 will also be maintained.

Given proximity to the San Diego and Harbor Freeways, a mid-county location, the size of the proposed facility and its blend of complementary retail, office, industrial; the retention of industrial uses and the redevelopment of the subject site, I find that the proposed location will be desirable to the public convenience or welfare and the location is proper in relation to adjacent uses or the development of the community.

2. **The use will not be materially detrimental to the character of the development in the immediate neighborhood.**

Surrounding properties are within the M2, MR1, (Q)CM, and PF Zones and developed with multiple and single-story commercial buildings, industrial

buildings and one-story duplexes (adjoining along the southerly property line). Further to the south are duplexes and fourplexes located in the RD1.5 Zone. The majority of land uses in the immediate neighborhood are similar to the proposed project: offices and industrial uses such as book binding, manufacturing, truck yard, warehouse, etc.

Statistics from the Police Department reveal that in the subject Crime Reporting District No. 504, which has jurisdiction over the subject property, a total of 532 crimes were reported in 1996, compared to the citywide average of 398 crimes and the high crime reporting district average of 478 crimes for the same period.

The crimes within the reporting district exceed the citywide average by 20 percent. The issue of crime deterrence is not directly addressed in this instant grant, but is certainly considered a matter to be considered as individual more detailed requests for restaurants/markets come forward under the Plan Approval process required in Condition No. 11. Once the details of a proposed lot development are known, the Zoning Administrator can determine whether security should be addressed. It is difficult to determine whether or not the crime statistics are in part related to the under-use of the large parcel of land; and whether or not with high quality redevelopment, crime in the immediate vicinity will not exist because property owners themselves will seek to deter it in their own self-interest.

There are no sensitive land uses such as schools, parks or churches located within 600 feet of the subject property.

Among the mitigation measures required in the Environmental Impact Report (Environmental Impact No. 96-0090-SUB) is one for a minimum 8-foot in height wall along the southern property line which adjoins one-story duplex residences; and another which requires any buildings to be constructed on parcels adjacent to these residences to be setback 25 feet from the property line and maintained at a maximum height of 45 feet within 300 feet of the lots adjacent to the single family residences.

Given the general office/industrial park nature of existing uses within the neighborhood, the required further plan approval review to address, if necessary, security; the mitigation measures required for buildings within 300 feet of the residences, I find that the use will not be materially detrimental to the character of the development in the immediate neighborhood.

3. The proposed location will be in harmony with the various elements and objectives of the General Plan.

The Harbor-Gateway District Plan designates the subject property for heavy industrial use corresponding to the M3 Zone. The M3 Zone permits a wide range of industrial uses, industrial parks, commercial and office. The Height District Designation is Height District No. 1 with a maximum FAR of 1.5:1.

Requests for the sale of alcoholic beverages for on- and off-site consumption are permitted by conditional use in the C and M Zones. Floor Area Ratio averaging is also permitted by conditional use in the C and M Zones.

The adopted General Plan Framework contains policies and objectives supporting the reuse and retention of the city's industrial base as its economy changes over time. The proposed project will introduce a mix of uses, including retail and office, but the majority of redevelopment will be devoted to an industrial park, consistent with the goals and objectives of the General Plan Framework--Economic Development.

The proposed project is consistent with the purposes and intent of the general plan.

ADDITIONAL MANDATORY FINDINGS

4. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 154,405, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding. (No shading)
5. On April 10, 1996, the Planning Department Environmental Staff Advisory Committee (ESAC) reviewed the project for an environmental clearance and required an Environmental Impact Report (EIR) be prepared for the project to address the following potential negative impacts of the project.

Earth (Grading, Drainage, Geologic Hazards)

Air (Stationary and Mobile Sources)

Water Conservation

Water (Ground and Surface Water)

Noise (Stationary and Mobile Sources)

Light and Glare (Artificial)

Plant Life

Human Health

Land Use

Risk of Upset

Transportation-Circulation, Driveway / Access, Parking and Regional Traffic Analysis

Public Services

Energy Conservation

Aesthetics / Views

The Draft Environmental Impact Report (DEIR) No. 96-0090-SUB(ZV)(CUB)(DA) circulated on February 6, 1997 through March 24, 1997 and the final Environmental Impact Report (FEIR) on May 16, 1997 analyzed the following potential negative impacts resulting from implementation of the proposed project.

Mitigation measures proposed in the EIR mitigate all of the following impacts to less significant levels:

- Earth
- Surface Water
- Plant Life
- Noise
- Light and Glare (Light)
- Light (Glare)
- Land Use
- Public Services (Fire Protection)
- Public Services (Police Protection)
- Energy Conservation (Electric Power)
- Energy Conservation (Natural Gas)
- Energy Conservation (Construction)
- Utilities (Communications)
- Utilities (Water)
- Utilities (Sewer)
- Risk of Upset
- Aesthetics

Three impacts - Air Quality, Transportation/Circulation and Utilities (Solid Waste) could result in impacts potentially significant and a Statement of Overriding Considerations was prepared.

Environmental Impact Report No. EIR 96-0090-SUB(CUB)(ZV)(DA) determined that by imposing conditions the impacts of all but three assessment areas could be reduced to a level of insignificance; and for areas with potentially significant impacts, a statement of Overriding Consideration was prepared with which I concur and hereby certify. The records upon which this decision is based are with the Environmental Review Section in Room 1500, 221 North Figueroa Street.

In making the decision to approve ZA 97-0327(CUZ)(CUB), the Zoning Administrator of the City of Los Angeles certifies that it has reviewed and considered the information contained in EIR 96-0090(SUB)(CUB)(ZV)(DA), together with all written communications and oral testimony regarding the requests for a conditional use for the sale of a full line of alcoholic beverages for on- and off-site consumption and entertainment; and for Floor Area Ratio averaging. The Zoning Administrator has reviewed the findings of the Deputy Advisory Agency contained in letter of approval dated June 6, 1997, for Vesting Tract Map No. 52172, and concurs with the CEQA Findings contained therein. Further, the Zoning Administrator requires under the instant grant, full compliance with all conditions of approval and mitigation measures required by Environmental Impact Report 96-0090(SUB)(CUB)(ZV)(DA).

6. Fish and Game: The subject project, which is located in Los Angeles County, will not have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2.


EMILY GABEL-LUDDY
Associate Zoning Administrator

EGL:Imc

cc: Councilmember Rudy Svorinich, Jr.
Fifteenth District
Adjoining Property Owners
County Assessor

HARBOR GATEWAY CENTER
 VTTM No. 52172
 DENSITY REPORT
 (BASELINE)
 23 June 1997

Lot #	Status	Lot Size (SqFt)	Building Floor Area (SqFt)(a)	Floor Area Ratio(b)
1		165,000		0
2		165,000		0
3		165,100		0
4		165,100		0
5		165,100		0
6		165,100		0
7		144,000		0
8		113,800		0
9		80,400		0
10		80,400		0
11		80,400		0
12		80,400		0
13		80,400		0
14		80,400		0
15		154,100		0
16		346,500		0
17		279,500		0
18		253,500		0
19		234,000		0
20		258,600		0
21		87,300		0
22		87,200		0
23		88,200		0
24		94,100		0
25		262,300		0
26		250,100		0
27		238,000		0
28		237,900		0
29		238,000		0
30		92,300		0
31		91,900		0
32		92,400		0
Total		5,116,500	-	0

Notes: (a) Maximum allowable total building area is 2,517,700 square feet.

(b) Maximum FAR for individual lots is 3.0.

HARBOR GATEWAY CENTER
VTTM No. 52172
DENSITY REPORT
(EXAMPLE)
05 Jan 1998

Lot #	Status	Lot Size (SqFt)	Building Floor Area (SqFt)(a)	Floor Area Ratio (b)
1		165,000		0.00
2		165,000		0.00
3		165,100		0.00
4		165,100		0.00
5		165,100		0.00
6	Approved - 06/97	165,100	300,000	1.82
7		144,000		0.00
8		113,800		0.00
9		80,400		0.00
10	Approved - 08/97	80,400	75,000	0.93
11	Approved - 08/97	80,400	200,000	2.49
12	Approved - 08/97	80,400	64,500	0.80
13	Approved - 08/97	80,400	85,000	1.06
14		80,400		0.00
15		154,100		0.00
16	Approved - 07/97	346,500	450,500	1.30
17	Approved - 07/97	279,500	325,750	1.17
18		253,500		0.00
19	Proposed	234,000	120,000	0.51
20	Proposed	258,600	8,000	0.03
21		87,300		0.00
22		87,200		0.00
23		88,200		0.00
24	Approved - 11/97	94,100	101,500	1.08
25		262,300		0.00
26		250,100		0.00
27		238,000		0.00
28		237,900		0.00
29		238,000		0.00
30	Approved - 12/97	92,300	62,000	0.67
31		91,900		0.00
32		92,400		0.00
Total:		5,116,500	1,792,250	0.35

Notes: (a) Maximum allowable total building area is 2,517,700 square feet.
(b) Maximum FAR for individual lots is 3.0.

Recording requested by and mail to:

Name: _____
Address: _____

***** Space Above This Line For Recorder's Use *****

MASTER COVENANT AND AGREEMENT

The undersigned hereby certifies I am (we are) the owners of the hereinafter legally described real property located in the City of Los Angeles, County of Los Angeles, State of California (please give the legal description):

_____:

Site Address _____

That in consideration of the approval of Case No. _____ by the City Planning Department, I (we) do hereby promise, covenant and agree to and with the City of Los Angeles and the City Planning Department of said City that to the extent of our interest, I (we):

This covenant and agreement shall run with the land and shall be binding upon any future owners, encumbrancers, their successors, heirs or assigns and shall continue in effect until the City Planning Department of the City of Los Angeles approves its termination.

(Print Name of Property Owner)

(Print Name of Property Owner)

(Signature of Property Owner)

(Signature of Property Owner)

Dated this _____ day of _____ 19____.

***** Space Below This Line For Notary's Use *****

ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

On _____ before me, _____ (name and title of officer), personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

(SEAL)
Notary Public Signature

Case No. _____

Condition No(s). _____

Approved for recording by _____
(Department of City Planning)

Date: _____

INSTRUCTIONS FOR FILING COVENANT AND AGREEMENT FORMS

1. Fill out, in BLACK INK ONLY, one copy of the Covenant and Agreement form.
2. Property owner(s) must print and sign their name(s)--signature(s) must be notarized.
3. Submit the completed form to the Department of City Planning for approval and signature.
4. Record the form with the Los Angeles County Registrar-Recorder and obtain a certified copy. County Recorder located at:

12400 Imperial Highway
Norwalk, CA 90650
(Near the intersection of the 5 and 605 Freeways)

The original form is kept by the County Recorder and will be returned to you at a later date.

5. Return the certified copy of the recorded form, along with one photocopy to:

Department of City Planning
221 North Figueroa Street
Room 1500
Los Angeles, CA 90012-2601

6. Distribution:

1 copy - Building and Safety
1 copy (certified) - Planning Department file

If you have any questions, contact the decisionmaker.